THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19385 of 1997

Dated:11.04.2007

Between
G.Ganga Reddy

.....Petitioner

and

1.The General Manager,
the Sirpur Paper Mills Ltd.,
Sirpur and another.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.19385 of 1997

ORDER:

This writ petition is filed seeking a Mandamus to direct the 1st respondent-Management to pay all back wages with attendant benefits from January 1992 to June 1997.

It appears that when the services of the petitioner were terminated, he raised a dispute under Section 2-A (2) of the Industrial Disputes Act, 1947 before the Industrial Tribunal-cum-Labour Court. In the award passed in I.D. No.76 of 1994 dated 5th July, 1996, the Labour Court held as under:

> *"In the result, an award is passed setting aside the termination order dated 27.5.1994 and directing the respondent to reinstate the petitioner with continuity of service, attendant benefits in respect of increments only and without any back wages. The award shall come into force from the date of publication."*

In fact, aggrieved by the said award passed by the Labour Court, the respondent-Management had filed a writ petition No.23622 of 1996 before this Court and it was dismissed at the stage of admission on 7th November, 1996. Thereafter, it seems that the petitioner filed an application under Section 33-C (2) of the Act, but there is no information to this Court as to what happened to the said application. However, the present writ petition is filed seeking wages from January 1992 to June, 1997 in view of the observations made by this Court in writ petition No.23622 of 1996 and consequently to declare the action of the respondents in not granting back wages and attendant benefits in spite of favourable findings in I.D.No.76 of 1994. This prayer of the petitioner is most unfortunate. Writ petition No.23622 of 1996 filed by the management against ID No.76 of 1994 was dismissed. Any observations made by this Court in the said writ petition does not confer any right for the purpose of claiming back wages from the Management from January 1992

to June, 1997. If the petitioner is entitled for any attendant benefits etc., he has to work out his remedies as available under law.

Therefore, the writ petition closed. No costs.

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13-04-2007

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